

REMARKS/ARGUMENTS:

Claim 15 is amended. Claims 1-4, 8-10, 15, and 21-32 are pending in the application. Reexamination and reconsideration of the application, as amended, are respectfully requested.

CLAIM REJECTIONS UNDER 35 U.S.C. §103:

Claims 15 and 31 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Inomata (JP 2002-76404) in view of Engemann (U.S. Patent No. 5,177,398). Applicant respectfully traverses this rejection. Claim 15, as amended, is as follows:

A method for producing a solar cell comprising:

placing a substrate for a solar cell on an RF electrode in a chamber;

placing a plate to cover the substrate, said plate being provided with a number of opening portions, chamfered portions being provided to the top and bottom corners of the opening portions, wherein said plate is not in direct contact with said substrate;

forming fine textures on a surface of the substrate by using residues chiefly comprising components of the substrate as an etching mask.

Applicant respectfully submits that cited references cannot render claim 15 obvious, because the cited references fail to teach or suggest "placing a plate to cover the substrate."

The Office cites Inomata for "placing a plate to cover the substrate." However, Applicant respectfully submits that Inomata fails to teach or suggest plates of any kind, much less placing a plate to cover the substrate. Engemann

cannot remedy the defect of Inomata. Engemann is directed to a grid assembly for ion beam sources. (Engemann, Abstract).

In light of the foregoing, Applicant respectfully submits that the cited references cannot render claim 15 obvious, because the cited references fail to teach or suggest each and every claim limitation. Claim 31 depends from claim 15 and cannot be rendered obvious for at least the same reasons as claim 15. Withdrawal of this rejection is thus respectfully requested.

DOUBLE PATENTING REJECTION:

Claims 8-10 and 30 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claims 34, 37, and 41 of copending Application No. 10/650,505. In response, Applicant files concurrently herewith a terminal disclaimer in compliance with 37 CFR 1.321(c). Withdrawal of this rejection is thus respectfully requested.

ALLOWABLE SUBJECT MATTER:

Claims 1-4, 21-29, and 32 are allowed.

Applicant believes the foregoing amendments comply with requirements of form and thus may be admitted under 37 C.F.R. § 1.116(b). Alternatively, if these amendments are deemed to touch the merits, admission is requested under 37 C.F.R. § 1.116(c). In this connection, these amendments were not earlier presented because they are in response to the matters pointed out for the first time in the Final Office Action.

Lastly, admission is requested under 37 C.F.R. § 1.116(b) as presenting rejected claims in better form for consideration on appeal.

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In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. Reexamination and reconsideration of the application, as amended, are requested.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at the Los Angeles, California telephone number (310) 785-4600 to discuss the steps necessary for placing the application in condition for allowance.

If there are any fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-1314.

Respectfully submitted,  
HOGAN & HARTSON L.L.P.

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